

TOWN OF NOLENSVILLE PLANNING COMMISSION  
Regular Meeting  
MARCH 11, 2004  
7:00p.m.

Members in attendance were as follows: Frank Wilson, Rick Fisher, Larry Gardner, Bob Haines, James Clark, Joe Curtsinger, Charles Knapper and Rob Pease. Staff present: Richard Woodroof, Dana Ausbrooks, Dave Ausbrooks and Bill Terry.

The Town of Nolensville Planning Commission met in regular session on March 11, 2004, at the Nolensville Elementary School. The meeting was called to order by Vice-Chairman Rick Fisher.

Agenda Item II - The Pledge of Allegiance

Agenda Item III - Approval of minutes

The following are changes to the minutes: In the second paragraph of page ten, the name Mr. Terry should be changed to Rob Pease. In the seventh paragraph on page eight, the word ration should be changed to ratio. Mr. Haines' name should be Haines and not Haynes in the minutes. In the sixth paragraph of page seven, the word under should be changed to over. In the second paragraph of page seven, the word condition should be conditional. In the tenth paragraph of page seven, the word foot should be changed to feet. Rob Pease made a motion to approve the minutes with the changes. Frank Wilson seconded the motion. The motion to approve the minutes with the changes was approved unanimously.

Agenda Item IV – Citizen Comments

Bob Bats, 1041 Brittan Lane, stated that Metro water would be charging fees within a matter of days.

Agenda Item V – New Business

a. Final Plat of Ballenger Farms

Mike Anderson stated that he had received the changes/additions/comments that needed to be addressed in order to meet the requirements of Nolensville land use regulations. He stated that he had addressed the changes/additions/comments made by staff.

Rich Woodruff recommended approval of the final plat of Ballenger Farms, Phase One. Rich Woodruff further stated that performance bond should be set at \$242,000.00. Bill Terry stated that the final plat should show the base zone on the plat. In addition, he stated that there is a ten feet public utility easement marked on the plat, and that according to the

Zoning Ordinance, the public utility easement should be 15 feet. Mr. Anderson stated that the public utility easement could be changed to 15 feet.

Rob Pease made a motion to accept the final plat of Ballenger Farms for the first phase only based on staff's approval of the landscape plan, deed restrictions and with the performance bond set at \$242,000.00. Frank Wilson seconded the motion. The motion passed unanimously.

#### Agenda Item V – Old Business

a. Bent Creek

Charles Knapper read the following conditions for approval of the Bent Creek PUD. Mayor Knapper stated that Bob Notestine had approved these conditions.

The conditions are as follows:

1. The sewer lines will be located in the streets thus minimizing the destruction of trees due to sewer construction. Some sanitary sewer might be located in the rear of lots when topography requires that in order to service the homes.
2. Nine acres of the original commercial area will be changed to townhouses. (49 units) In the areas of the proposed town homes, parking will be in the rear of the units. Sidewalks will be constructed from the parking areas to the front of the units. The exterior of the townhouses can be mixed stone, brick and hardy plank siding; however, the majority of the exterior of the townhouses will be brick. No stucco may be used. Minimal vinyl siding may be used. Conceptual architectural drawings, when completed, will be submitted to the Nolensville Planning Commission.
3. Duplexes will not be constructed in this development.
4. An 8-foot asphalt path will be installed on one side of the collector road rather than sidewalks.
5. A median will be provided in the ingress/egress road in Phase Six to promote emergency vehicle access.
6. The start of the commercial development is subject to needs/demands for the commercial development. The initial phase of the commercial phase of the PUD is 20,000 square feet. The construction of commercial space would require approval by the Town of Nolensville as well as a zoning change. Fifteen (15) acres has been agreed to for inclusion in the Bent Creek PUD.
7. The minimum size of the proposed pocket parks will be ½ acre. There will be a review of the size of the pocket parks with the Nolensville Planning Commission as each phase entered the preliminary or construction plat stage since there could be beneficial pocket parks that are smaller than ½ acre.
8. The collector would need a minimum 200 feet buffer and right-of-way width. The Nolensville Planning Commission has the authority to reduce

the minimum width in isolated areas where ample justification is provided by the developer. The 200-foot width applies to the area with existing tree masses where the collector is located.

9. Trails through the floodplain area/greenway area will be 10 feet wide. Other trails will be 8 feet wide.

10. Lots abutting Clovercroft Road will be 75 feet wide. A 40-foot buffer will be provided along Clovercroft Road only adjacent to the “southerly” cul-de-sac which will have conventional lots fronting the new road. The buffer is intended to save existing trees along Clovercroft Road.

11. The use of business work-live units is encouraged in the Old Town area.

12. For garages facing the street:

- a. 3 feet minimum setback from front façade
- b. 50% of houses may reduce garage setbacks less than 10 feet provided a minimum of 3 feet setback from the front plane of the house to the garage is provided.
- c. Maximum drive width within the right-of-way is 12 feet
- d. Evergreen shrubs to be planted adjacent to the driveway from the garage toward the street to help screen parked cars.
- e. Minimum 30 feet setback to garage fact from right-of-way.
- f. Minimum of 20% of homes shall have porches.

13. The Nolensville Planning Commission may review all of the conditions (1-16) and adjust conditions as necessary.

14. Compensatory cut/fill for the commercial area will be in compliance with federal, state and local laws and with the Nolensville Zoning Ordinance.

15. Since a PUD is flexible, the Nolensville Planning Commission can review the PUD at each phase of the PUD.

16. Trail system must be part of, and within, the Bent Creek PUD and constructed to the Bent Creek property line and then continue construction off-site to King Street.

Charles Knapper made a motion for approval of the bent Creek PUD contingent on the developer meeting the listed conditions and subject to the approval of a traffic plan at a later date.

Bob Haines seconded the motion. The motion was approved unanimously.

b. Historic Zoning Commission

The Historic Zoning Commission recommended the following changes to the Nolensville Ordinance:

(The changes to the ordinance are in italics)

**1.10.1** *Establishment Pursuant to the provisions of Tennessee Code Annotated sections 13-7-401 through 13-7-409, there is hereby created the historic zoning commission, hereinafter referred to as the Historic Zoning Commission.*

**1.10.2 Membership** The Historic Zoning Commission shall consist of five (5) members appointed by the Mayor and approved by the Board of Mayor and Alderman. The terms of members of the Historic Zoning Commission shall be five (5) years, except that the members appointed initially shall be appointed to the Historic Zoning Commission for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. *Vacancies shall be filled for any unexpired terms by the Mayor and confirmed by the Board of Mayor and Alderman.* All members of the Historic Zoning Commission shall serve without compensation.

**1.10.3 Procedure** *The members shall elect a chair from among themselves to preside over meetings. Meetings of the Historic Zoning Commission shall be held at the call of the Chairman and at other times as the Historic Zoning Commission may determine. All meetings of the Historic Zoning Commission shall be open to the public. Three (3) members shall constitute a quorum for the transaction of any business. The concurring vote of a majority of those present at any meeting shall constitute final action of the Historic Zoning Commission on any matter before it. The board shall maintain a record of its meetings and all actions taken, and these records shall be open to the public.*

**1.10.6 Jurisdiction** *The Historic Zoning Commission shall have jurisdiction relating to historic zoning matters. Anyone who may be aggrieved by the final order or judgment of the Historic Zoning Commission may have the order or judgment reviewed by the courts by the procedures of statutory certiorari as provided for in the Tennessee Code Annotated Sections 27-9-101 et seq.*

**2.2.10 Historic District Overlay (HDO)**

*It is the purpose of the Historic District Overlay to provide for the protection, preservation and enhancement of resources which represent distinctive and significant elements of Nolensville's history and identity and to insure the harmonious and orderly integration of new development with these historic resources. The regulations within the Historic District Overlay are provided for the purposes of protecting, preserving and enhancing the historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, and neighborhoods of the historic areas.*

(Insert the following paragraph into Section 2.2.10 after the Uses Permitted Section)

*The Historic District Overlay may also be applied to other zoning districts within the Town with a recommendation from the Historic Zoning Commission.*

**9.5.3 Procedure** Upon filing of a complete application, the Historic Zoning Commission has thirty (30) days to review the application and render its decision.

With the exception of the projects listed in 9.5.5, a public hearing shall be held on the application to which notice shall be given to all adjacent property owners by U.S. Mail at least ten (10) days before the date of the hearing, and notice shall be given in one (1) publication in a newspaper of general circulation in the Town at least ten (10) days before the date of the hearing. In addition, a sign providing notice of the time, place, and proposed project shall be posted by the Town in a prominent location on the subject property at least ten (10) days before the date of the hearing. *Approval of all minor projects including, but not limited to, the Minor Projects listed in Article 9.5.5, may be obtained by administrative approval by the Mayor and/or his designee and the chairman of the Historic Zoning Commission and/or his designee without a public hearing. This type of approval may be granted within seven (7) days of receipt of a completed application. Once approval is granted, the applicant must obtain all appropriate building permits.*

**9.5.5 Administrative Review for Certificate of Appropriateness** *A proposed alteration to a Designated Historic site and/or structure may only require an administrative review to obtain a Certificate of Appropriateness if the proposed alteration falls under the following minor alterations, which are also referred to, for the purposes of this ordinance, Minor Projects. These would include, but not be limited to, the following:*

- A. Minor repairs to the outside of the structure.*
- B. Minor roof repairs.*
- C. Minor landscaping.*
- D. Installation and/or replacement of air conditioning units.*
- E. Minor repairs to chimneys and masonry.*
- F. Minor modifications to accommodate access for the disabled.*
- G. Minor repairs to existing signs.*
- H. Exterior painting on previously painted surfaces. Paint colors must be selected from pre-approved paint palette.*
- I. Replacement or moving of existing mailbox due to damage or destruction.*

Mayor Knapper made a motion to recommend to the Board of Mayor and Alderman to approve the above changes to the Zoning Ordinance regarding the Historic Zoning Commission. Bob Haines seconded the motion. The motion was approved unanimously.

c. Monthly Bond Report

Rich Woodruff stated that the next bond to come due is in section three and four of McFarlin Woods. These bonds come due in June of 2004.

d. Unfinished Zoning Issues

Mr. Terry handed out a copy of a Land use Plan and Goals and Objectives for the Town of Nolensville. Mr. Terry went through each of the goals and objectives. The goals and objectives are as follows:

**Goal 1: Preserve and enhance the existing small town character of Nolensville while creating a strong sense of town identity and community or “sense of place”.**

Objectives:

- a. Develop mandatory commercial design guidelines that promote high standards of design appropriate in scale, appearance and use for a small town.*
- b. Construct a Town Hall that can accommodate various civic events and meetings.*
- c. Promote the continuation of agricultural uses in appropriate areas.*
- d. Preserve the rural character of Nolensville Road and other existing arterial and collector roads at the periphery of town while gradually allowing more intensive uses toward the center of town.*

**Goal 2: Develop a pedestrian and bicycle friendly network of trails, sidewalks and greenways linking residential, recreation, commercial, civic, and institutional uses.**

Objectives:

- a. Adopt a comprehensive “Trail and Sidewalk Plan” showing locations of planned trails and developer required walks.*
- b. Require the construction of trails and sidewalks that connect streets and neighborhoods to one another, as well as to other appropriate non-residential uses.*
- c. Require the installation of street trees placed between the sidewalk and curb to create a pleasant walking environment and a separation from the street*
- d. Actively seek grants to assist the town in developing a Greenway Trail system along Mill Creek and other tributaries*

**Goal 3: Balance the need for new commercial growth with the desire to preserve existing businesses and the desire to enhance the existing small town character.**

Objectives:

- a. Promote a walkable, compact core of commercial, civic, institutional and residential uses near and within the existing commercial services area around Oldham Drive that requires buildings scaled to serve the local population.*
- b. Encourage revitalization of the Historic District that would enhance the character of Nolensville while creating a specialty shopping and dining area.*

- c. *Accommodate larger scale, regional type commercial on the North end of the UGB area adjacent to the proposed commercial node at Concord and Burkitt Road intersections with Nolensville Road.*
- d. *Avoid conventional strip commercial appearance by limiting the amount of parking visible from Arterial roads and controlling the placement of the buildings*

**Goal 4: Encourage residential development that provides a housing opportunity for a wide range of buyers regardless of age or economic status.**

Objectives:

- a. *Encourage a mix of housing price and sizes within PUD's and OSD options.*

**Goal 5: Develop a well-planned system of interconnected streets that efficiently move traffic on arterial and collector streets while providing safe local streets that are conducive to residential uses.**

Objectives:

- a. *Adopt a Major Thoroughfare Plan that clearly identifies proposed future roads so right-of-way dedication can occur during the approval process of individual development projects.*
- b. *Work with TDOT to maintain a maximum 3-lane section on Nolensville Road within the town limits of Nolensville.*
- c. *Adopt a fair and reasonable traffic impact fee to help mitigate the impact of future development.*
- d. *Require commercial and retail development to make road and traffic improvements that are directly related to the specific development.*
- e. *Require creative street configurations and traffic calming devices on local streets that slow traffic and create a safer neighborhood street for children.*

**Goal 6: Protect, conserve and enhance the Town's natural resources and beauty.**

Objectives:

- a. *Encourage the clustering of residential units to preserve open space, woodlands, and environmentally sensitive areas and to reduce the amount of infrastructure to be maintained by the Town.*
- b. *Develop usable open space and park areas as part of residential development that is both easily accessible for residents and visible to the community.*

*c. Develop a map of protected hilltops and ridge tops.*

Frank Wilson made a motion to approve the goals and objectives as stated above. Rob Pease seconded the motion. The motion was approved unanimously.

d. Moratorium for OSD Development

Mayor Knapper made a motion to lift the moratorium for OSD development in the Town of Nolensville. Frank Wilson seconded the motion. Mayor Knapper, Frank Wilson, Rick Fisher, Bob Haines, Joe Curtsinger, and Rob Pease voted for the motion. James Clark and Larry Gardner voted against the motion.

There being no further business to come before the Planning Commission, the meeting was adjourned at 10:23 p.m.

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Larry Gardner  
Secretary for the Planning Commission

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Date